

**UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
CENTRAL DIVISION**

SHONDEL CHURCH, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Case No. 17-04057-CV-C-NKL
	)	
STATE OF MISSOURI, et al.,	)	
	)	
Defendants.	)	

**DECLARATION OF ANTHONY E. ROTHERT IN SUPPORT OF SUGGESTIONS IN  
OPPOSITION TO THE STATE DEFENDANTS' MOTION TO STAY**

I, ANTHONY E. ROTHERT, hereby declare, under penalty of perjury, as follows:

1. I am a Legal Director and licensed attorney at the American Civil Liberties Union of Missouri Foundation and an attorney for Plaintiffs. I submit this Declaration based upon my own personal knowledge.

2. Attached hereto as Exhibit A is a true and correct copy of emails between Jason Williamson, Senior Staff Attorney, ACLU, and Jaqueline Shipma, General Counsel, Office of Missouri State Public Defender (Dec. 19, 2017).

3. Attached hereto as Exhibit B is a true and correct copy of the relevant portions of a string of emails between Laura Elsbury, Assistant Attorney General, Missouri, and Jason Williamson, Senior Staff Attorney, ACLU (Dec. 18, 2017 - Jan. 5, 2018).

4. Attached hereto as Exhibit C is a true and correct copy of the article *Many Missouri Public Defenders Decline New Cases After State Supreme Court Disciplines Lawyer*, KCUR (Oct. 6, 2017), available at <http://kcur.org/post/many-missouri-public-defenders-decline-new-cases-after-state-supreme-court-disciplines-lawyer#stream/0>.

5. Attached hereto as Exhibit D is a true and correct copy of excerpts of the transcript from the Deposition of Matthew Crowell, Dec. 20, 2017.

6. Attached hereto as Exhibit E is a true and correct copy of excerpts of the transcript from the Deposition of Anthony Cardarella, Dec. 7, 2017.

7. Attached hereto as Exhibit F is a true and correct copy of excerpts of the transcript from the Deposition of Ruth Petsch, Dec. 5, 2017.

8. Attached hereto as Exhibit G is a true and correct copy of an excerpts of the transcript from the Deposition of Justin Carver, Dec. 11, 2017.

9. Attached hereto as Exhibit H is a true and correct copy of an email from Rod Hackathorn, District Defender, Office of Missouri State Public Defender, to Area Judges, which served as Exhibit 53 to the Deposition of Rod Hackathorn, Dec. 20, 2017.

10. Attached hereto as Exhibit I is a true and correct copy of the Motion to Withdraw Due to Excessive Caseload, Nov. 6, 2017 (MSPD-0039720 – 0039725).

Dated: February 1, 2018  
St. Louis, Missouri

/s/ Anthony E. Rothert  
Anthony Rothert